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Department of Public Health*

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

**FREE NOW FOUNDATION and BRAVE
AND FREE SANTA CRUZ,**

Plaintiffs,

v.

**TOMAS ARAGON IN HIS OFFICIAL
CAPACITY AS DIRECTOR OF THE
CALIFORNIA DEPARTMENT OF
PUBLIC HEALTH, AND GAVIN
NEWSOM IN HIS OFFICIAL CAPACITY
AS GOVERNOR OF THE STATE OF
CALIFORNIA,**

Defendants.

2:24-cv-03523-DJC-SCR

**STIPULATION AND ORDER TO
EXTEND TIME TO RESPOND TO
FIRST AMENDED COMPLAINT**

Current Deadline: April 8, 2025
Stipulated Deadline: May 20, 2025

Courtroom: 7
Judge: The Hon. Daniel J. Calabretta
Action Filed: December 16, 2024

1 Plaintiffs Free Now Foundation, Brave and Free Santa Cruz, Minor Child #1, Mother and
2 Father of Minor Child #1, Minor Child #2, Mother of Minor Child #2, Minor Child #3, Mother,
3 Father, and Adult Brother of Minor Child #3, Minor Child #4, Mother and Father of Minor Child
4 #4 (collectively, Plaintiffs) and Defendant Tomás Aragón¹, in his official capacity as the Director
5 of the California Department of Public Health (CDPH Director), by and through their attorneys of
6 record, hereby stipulate to extend the CDPH Director's responsive pleading deadline by six
7 weeks, from April 8, 2025, to May 20, 2025, as follows:

- 8 1. Whereas, Plaintiffs filed an amended complaint on March 24, 2025, and
- 9 2. Whereas, the CDPH Director's current responsive pleading deadline is April 8, 2025.
- 10 3. Good cause exists for this extension. The amended complaint added twelve
11 individual plaintiffs and alleges five new causes of action. The CDPH Director needs additional
12 time to review the new allegations and claims. To conserve judicial resources, counsel for
13 Plaintiffs and the CDPH Director are also discussing a procedural timeline for Plaintiffs' potential
14 motion for preliminary injunction to avoid simultaneous and/or repetitive briefing.
- 15 4. This is the parties' first request to extend the CDPH Director's deadline to respond to
16 Plaintiffs' First Amended Complaint. The extension will not prejudice any party.
- 17 5. Accordingly, the parties stipulate that the CDPH Director's responsive pleading
18 deadline is extended by six weeks, April 8, 2025, to May 20, 2025.

19 IT IS HEREBY STIPULATED.

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28 ¹ As of February 1, 2025, Dr. Erica Pan is the Director of the California Department of
Public Health.

1 Dated: April 3, 2025

Respectfully submitted,

2 ROB BONTA
3 Attorney General of California
4 JENNIFER PERKELL
5 Supervising Deputy Attorney General

6 /s/ Jacquelyn Young

7 JAQUELYN YOUNG
8 KATHERINE GRAINGER
9 Deputy Attorneys General
10 *Attorneys for Defendant Tomás Aragón, in*
11 *his official capacity as the Director of the*
12 *California Department of Public Health*

13 Dated: April 3, 2025

LAW OFFICE OF RICHARD B. FOX, J.D., M.D.

14 /s/ Richard Fox

15 RICHARD B. FOX, J.D., M.D.
16 *Attorneys for Plaintiffs*

ORDER

The Court, having read and considered the stipulation filed on behalf of Plaintiffs and Defendant Tomás Aragón, in his official capacity as the Director of the California Department of Public Health (CDPH Director), and finding GOOD CAUSE thereon, hereby grants the stipulated extension of time for Defendant CDPH Director Aragón to respond to Plaintiffs' First Amended Complaint.

IT IS SO ORDERED that Defendant CDPH Director Aragón shall file his responsive pleading on or before May 20, 2025.

Dated: April 4, 2025

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE